

# In re Terrorist Attacks on Sept. 11, 2001

---

Dallah Avco Renewed Dispositive Motions

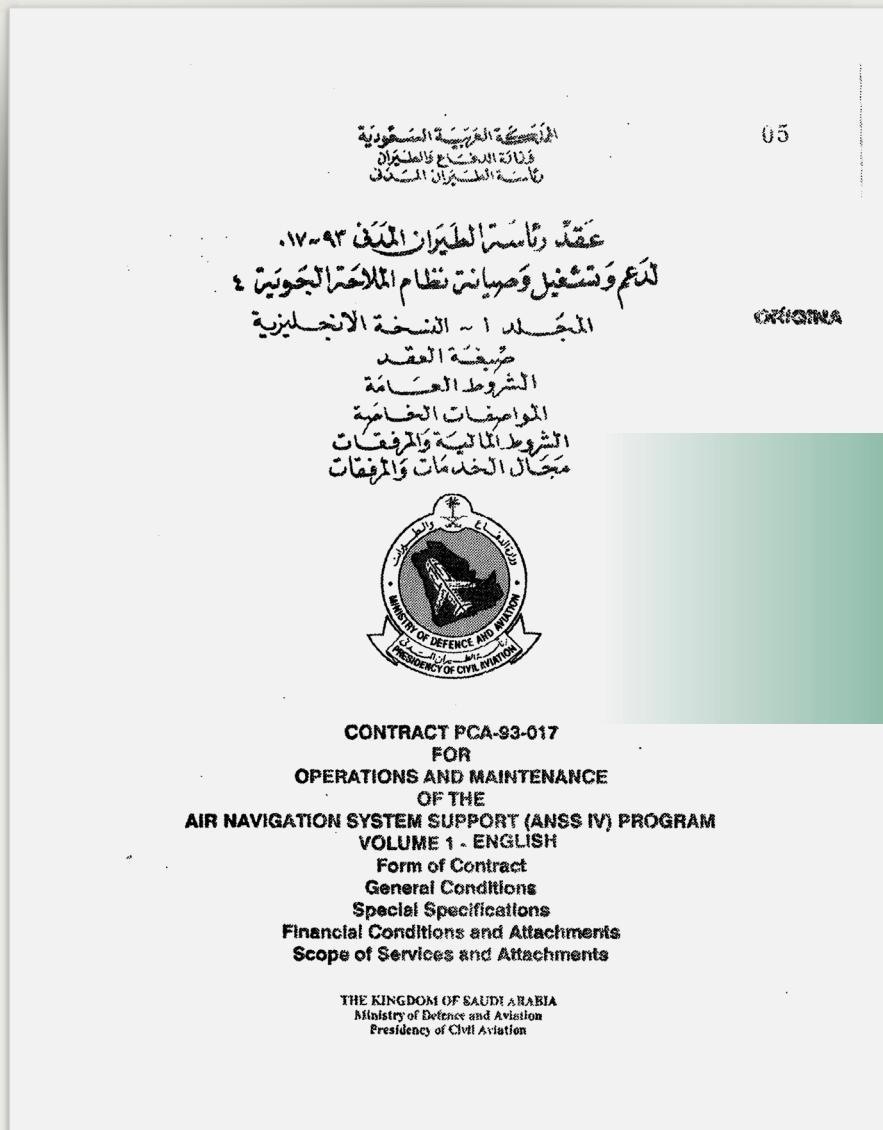


# Overview

**Dallah Avco's Obligations under the ANSS Contract**

**Al Bayoumi's Educational Studies**

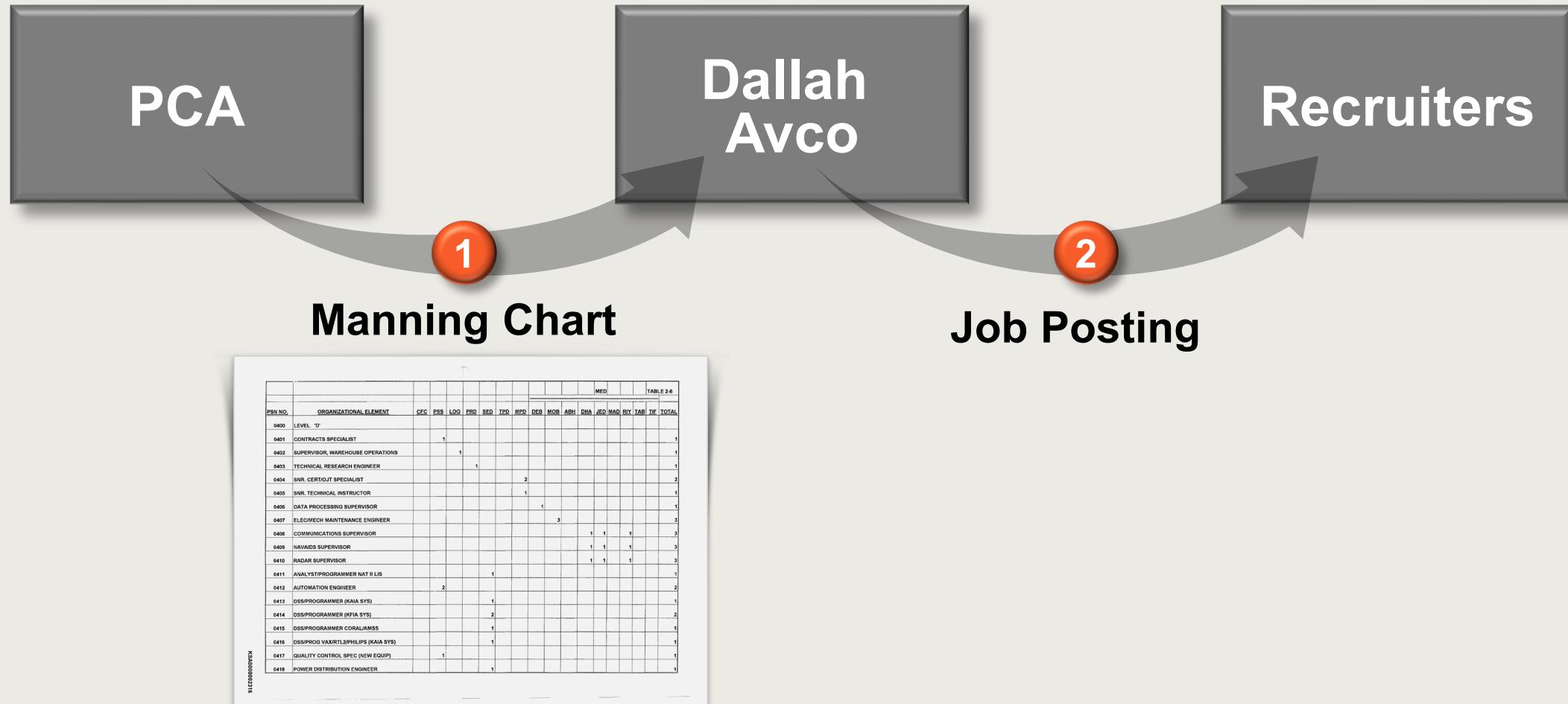
**Al Salmi's Payments to Al Bayoumi**



## Dallah Avco's Obligations under the ANSS Contract

Ex 10 (KSA0000002070)

# Recruiting

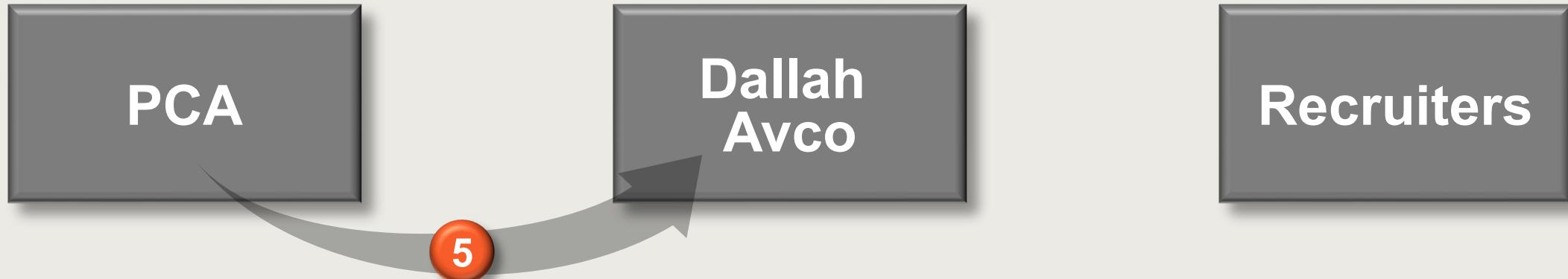


Ex 10 (KSA0000002316)

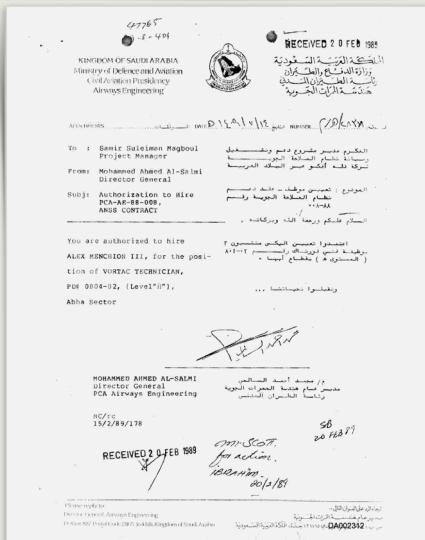
# Recruiting



# Recruiting



## Authorization to Hire



Ex 51 (DA002312)

# Recruiting: Direct Hires

## SECTION 4 SCOPE OF SERVICES

### TABLE OF CONTENTS

<u>ARTICLE</u>	<u>T I T L E</u>	<u>PAGE NO.</u>
4-1	INTRODUCTION	4-1
4-2	MANMONTH PERSONNEL	4-1
4-2-1	RECRUITMENT	4-1
4-2-2	CONTRACTOR M	
4-2-3	EMPLOYEE PER	
4-2-4	PROFICIENCY INT	
4-2-5	REPLACEMENT O	
4-2-6	UNSATISFACTOR	
4-2-7	CONTRACT	
4-2-8	TERMINATION FO	
4-2-9	CUSTOMS	
4-2-10	TERMINATION O	
4-2-11	CONTRACT	
4-2-12	PERSONNEL UNA	
4-2-13	REVIEW OF MAN	
4-2-14	INCREASES IN M	
4-2-15	REDUCTIONS IN	
4-2-16	NOT APPLICABLE	
4-2-17	NOT APPLICABLE	
4-2-18	OPERATIONAL W	
4-2-19	PERMANENT ASS	
	HOUSING AND A	
	TRANSPORTATION	
	HOLIDAYS	

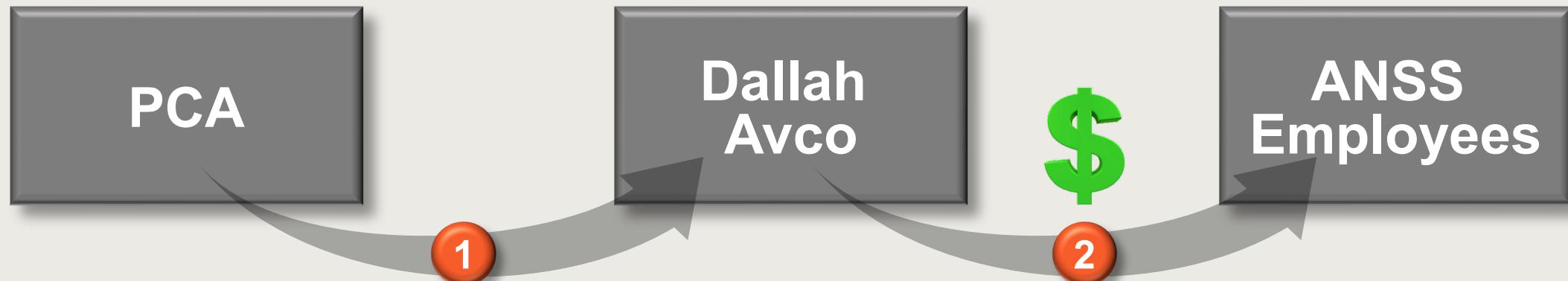
4-2-1-2

**Recruitment-Responsibilities and Approval:** The Contractor shall be entirely responsible for all aspects of the recruitment process, subject only to prior Government approval of Contractor-selected candidates, **except that the Government may, at its discretion, at any time, direct the Contractor to hire any individual or individuals whom the Government deems suitable for employment under the Contract.** The Contractor shall obtain Government

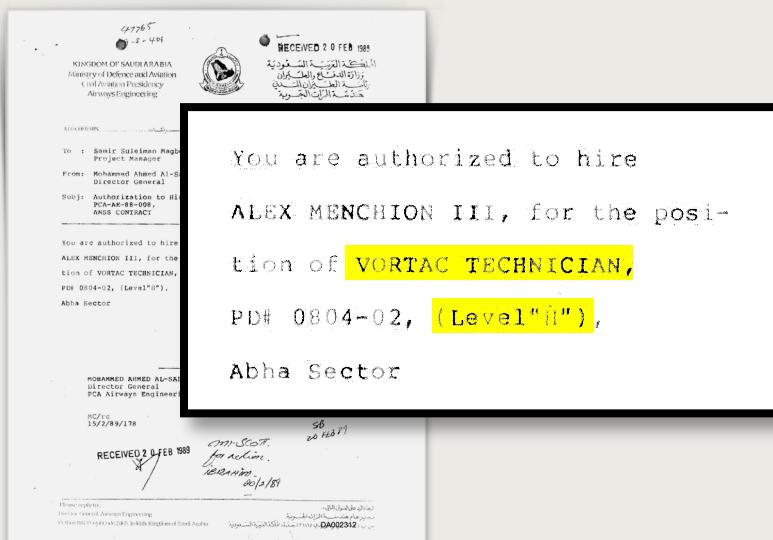
Ex 10 (KSA0000002189)

(Article 4-2-1-2)

# Salary Processing



## Authorization to Hire



Ex 51 (DA002342)

# Salary Processing



SECTION 3 FINANCIAL CONDITIONS ATTACHMENT D			
3.7 SCHEDULE OF PRICES AND QUANTITIES			
3.7.1 Manmonth Prices			
MAN-MONTH	1ST YEAR RATE	2ND YEAR RATE	3RD YEAR RATE
LEVEL_A			
MM/YR REQUIRED	216	204	192
RATE IN SR	22,229	22,798	23,579
TOTAL COST/YR SR	4,801,464	4,630,792	4,527,168
LEVEL_B			
MM/YR REQUIRED	300	264	252
RATE IN SR	19,214	19,694	20,349
TOTAL COST/YR SR	5,764,200	5,199,216	5,127,948
LEVEL_C			
MM/YR REQUIRED	480	456	444
RATE IN SR	18,635	19,093	19,722
TOTAL COST/YR SR	8,944,800	8,706,408	8,756,568

Page - 3D - 1  
KSA0000002169

Ex 10 (KSA0000002169)

# Salary Processing

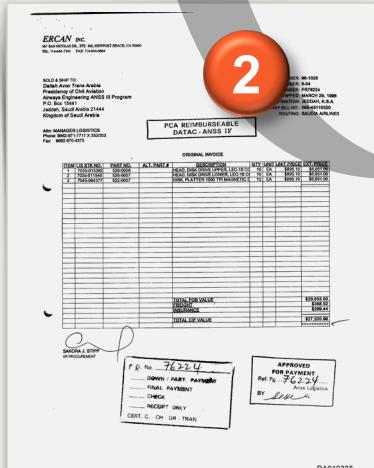
**Pay Advice Report (Run : 05-NOV-1999)**

<b>Personal</b>		<b>Tax</b>	
Monthly Salary	7740	Job Title	0070301
Number	050040	Name	AL BAYOUMI, Mr. OMER AHMED
<b>Payments</b>		<b>Deductions</b>	
Basic Salary	7740.00		
Housing Allow	1290.00		
Other Allowance	1742.00		
Transportation	774.00		
Total	11546.00	Total	
<b>Payment Methods</b>		<b>Amount Paid</b>	
Method	Bank	Account No.	Amount
			11546.00
<b>Messages</b>		<b>Balances</b>	
Message		Gross YTD	11546.00
		Gross PTD	11546.00
		Taxable YTD	11546.00
		Taxable PTD	11546.00
		PAYE YTD	0.00
		Nitable YTD	0.00

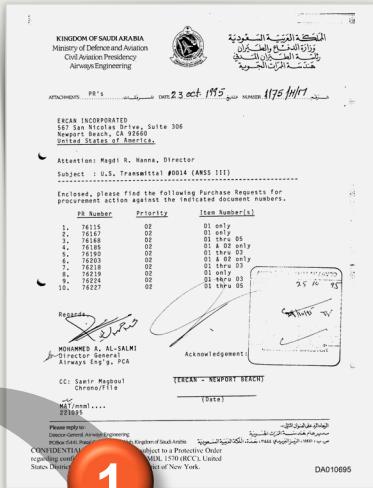
# Logistics



Invoice /  
Goods and  
Services



Ex 56 (DA010335)

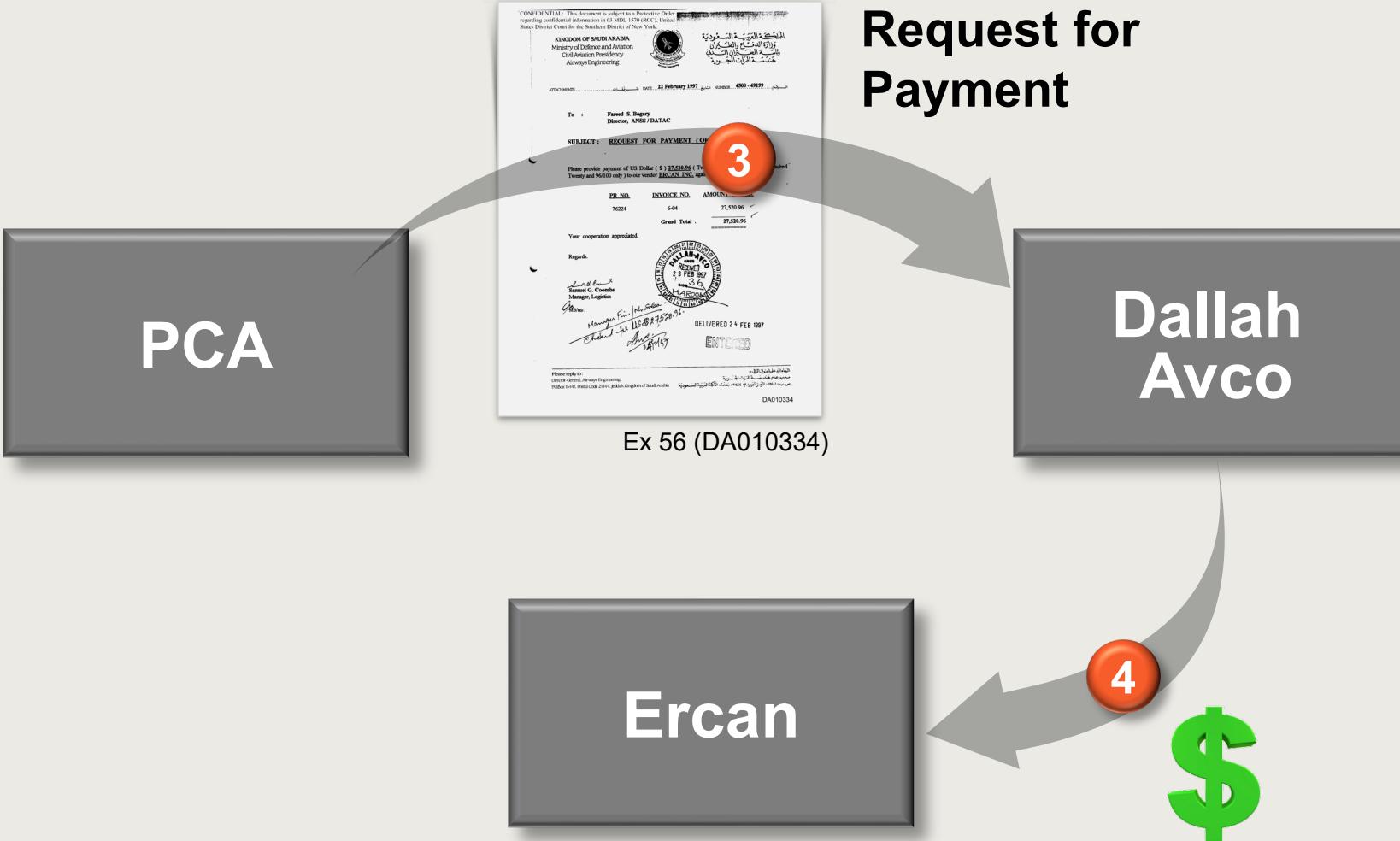


## Purchase Request

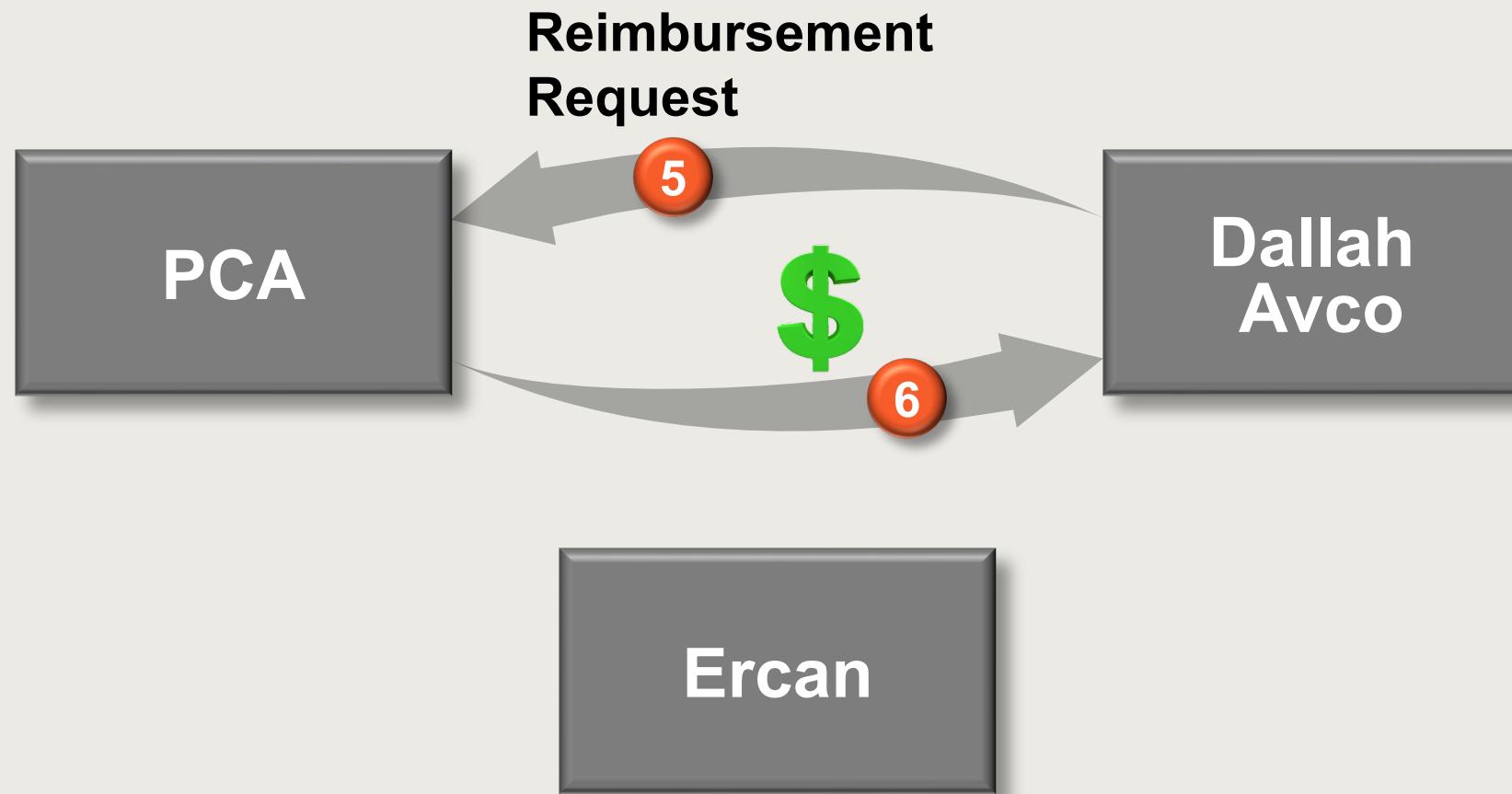


Ercan

# Logistics



# Logistics





**Omar Al Bayoumi**

## Al Bayoumi's Educational Studies

# Documents Revealed in Discovery

**SDSU**

1994

1995

1996

1997

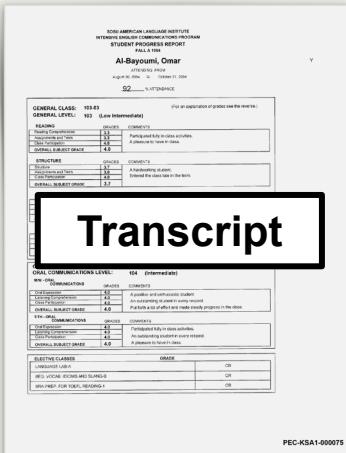
1998

1999

200

200

2002



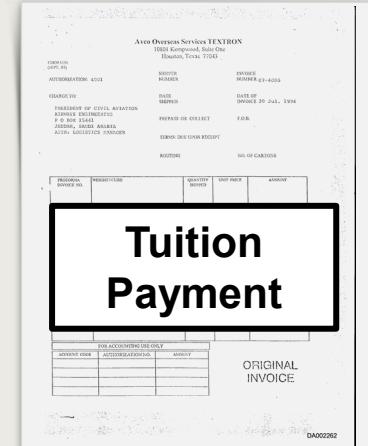
Ex. 86 (PEC-KSA1-000075)



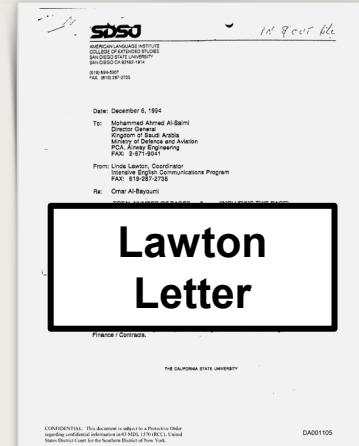
# SAN DIEGO STATE UNIVERSITY

**Aug 1994 – Feb 1995**

# Documents Known to Dallah Avco



Ex. 49 (DA002262)

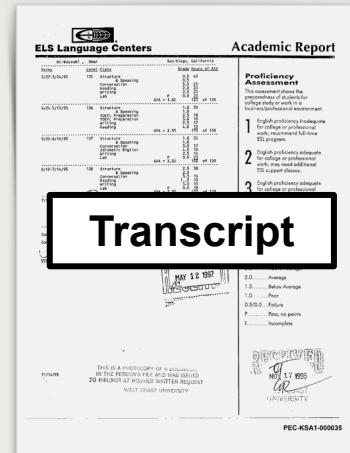


Ex. 33 (DA001105)

# Documents Revealed in Discovery

SDSU ELS

1994	1995	1996	1997	1998	1999	2000	2001	2002
------	------	------	------	------	------	------	------	------



Ex. 82 (PEC-KSA1-000035)



## ELS Language Centers

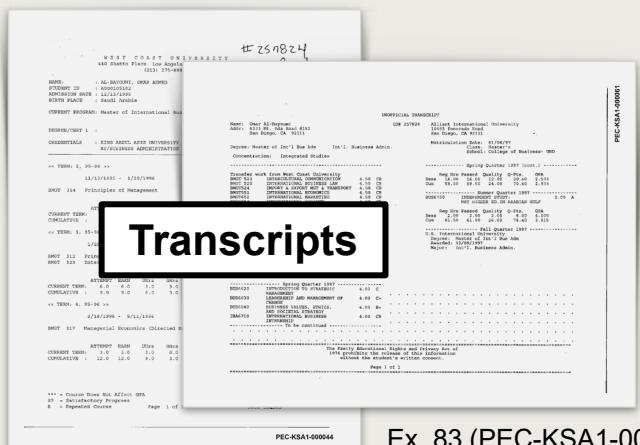
Feb 1995 – Aug 1995

# Documents Known to Dallah Avco

## NO DOCUMENTS

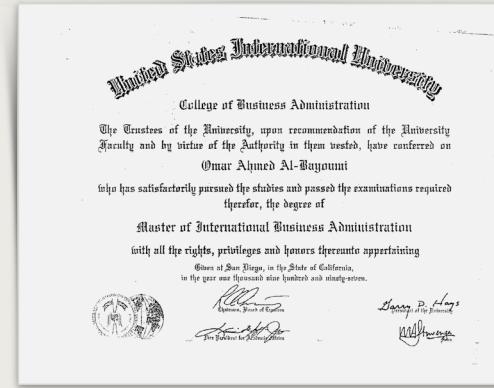


# Documents Revealed in Discovery

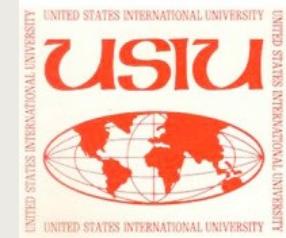


Ex. 83 (PEC-KSA1-000044)

Ex. 84 (PEC-KSA1-000061)



Ex. 63 (KSA0000000725)



Nov 1995 – Dec 1997

SDSU ELS

WCU

USIU

1994

1995

1996

1997

1998

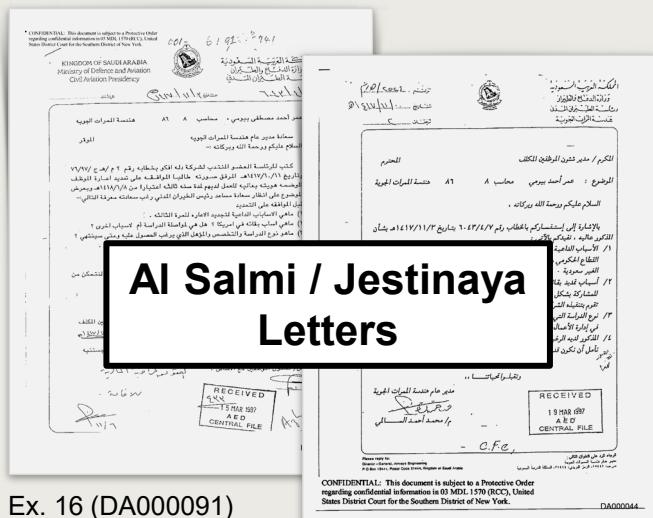
1999

2000

2001

2002

# Documents Known to Dallah Avco



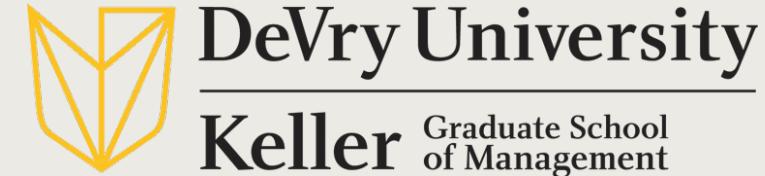
Ex. 16 (DA000091)

Ex. 13 (DA000044)

CONFIDENTIAL: This document is subject to a Protective Order regarding confidential information in 03 MDL 1,170 (RCC), United States District Court for the Southern District of New York.

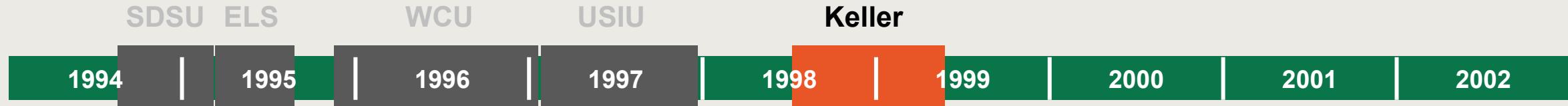
# Documents Revealed in Discovery

Transcript



1998 – 1999

Ex. 85 (PEC-KSA1-000067)

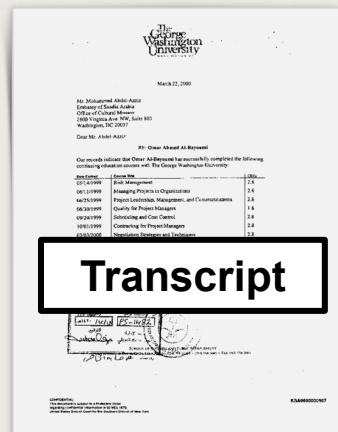


# Documents Known to Dallah Avco

NO DOCUMENTS

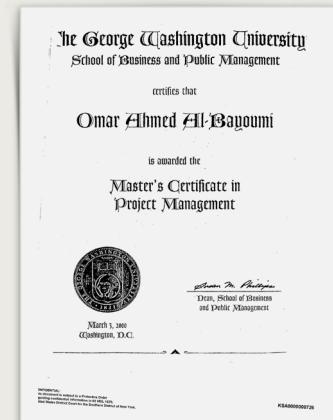


# Documents Revealed in Discovery



Transcript

Ex. 70 (KSA0000000907)



Ex. 64 (KSA0000000726)



May 1999 – Mar 2000

SDSU ELS

WCU

USIU

Keller

GWU

1994

1995

1996

1997

1998

1999

2000

2001

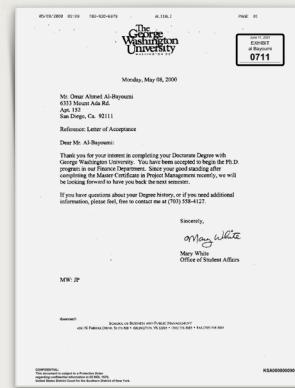
2002

# Documents Known to Dallah Avco

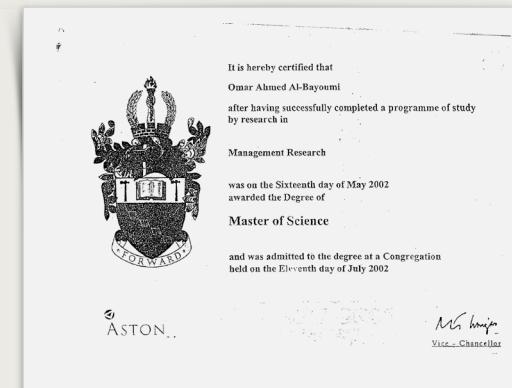
NO DOCUMENTS



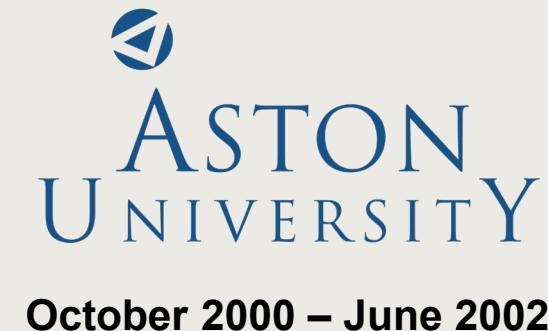
# Documents Revealed in Discovery



PECs Ex. 229 (KSA0000000903)



Ex. 62 (KSA0000000724)



**October 2000 – June 2002**

SDSU ELS

WCU

USIU

Keller

GWU

Aston

1994

1995

1996

1997

1998

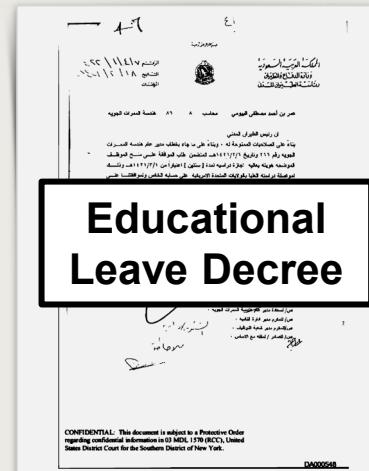
1999

2000

2001

2002

# Documents Known to Dallah Avco



Ex. 21 (DA000548)



## Al Salmi's Payments to Al Bayoumi

# Saudi Civil Service Regulations

**Anqari Exhibit**  
396

**ثامناً : الاجازة الدراسية**  
**28 / 19**

**يجوز ان يمنح الموظف اجازة دراسية بدون راتب اذا كان يحمل شهادة الدراسة الثانوية او ما يعادلها**  
**بشرط:**

**1- ان يكون قد امضى في الخدمة ثلاثة سنوات بتقدير جيد على الاقل.**

**2- ان يكون لموضوع دراسته علاقة بالعمل في الجهة التي يعمل بها.**

**Eighth: Educational Leave**  
**28/19**

An employee may be granted educational leave without pay if he/she holds a high school diploma or its equivalent, provided that:

1- He/she has spent three years in service with a job evaluation of at least “Good.”

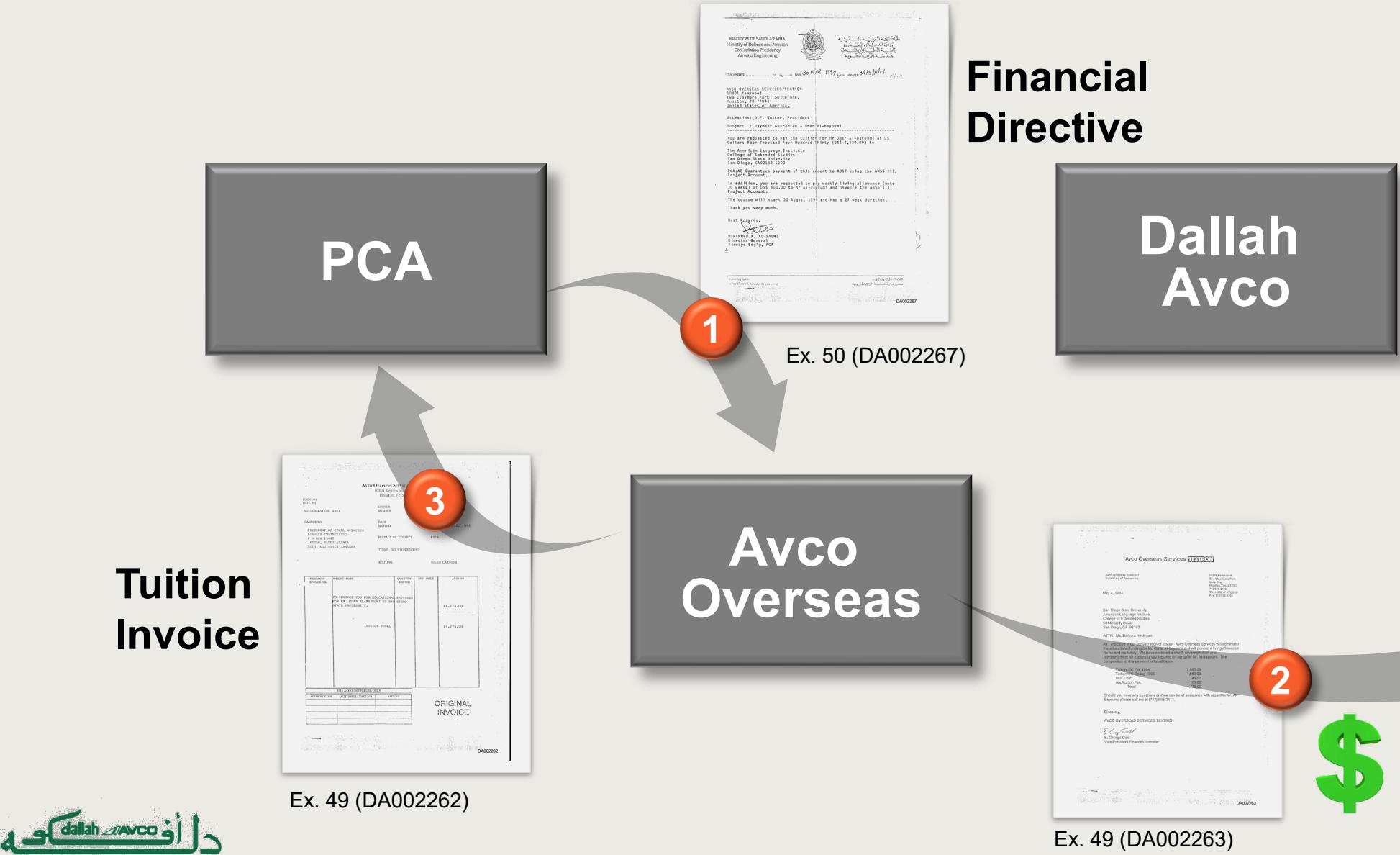
2- His/her major is relevant to the work of the authority wherein he/she works.

**دالله افوكو**  
dallah avco  
الشركة العربية للخدمات المساندة  
Trans Arabia Limited Liability Company

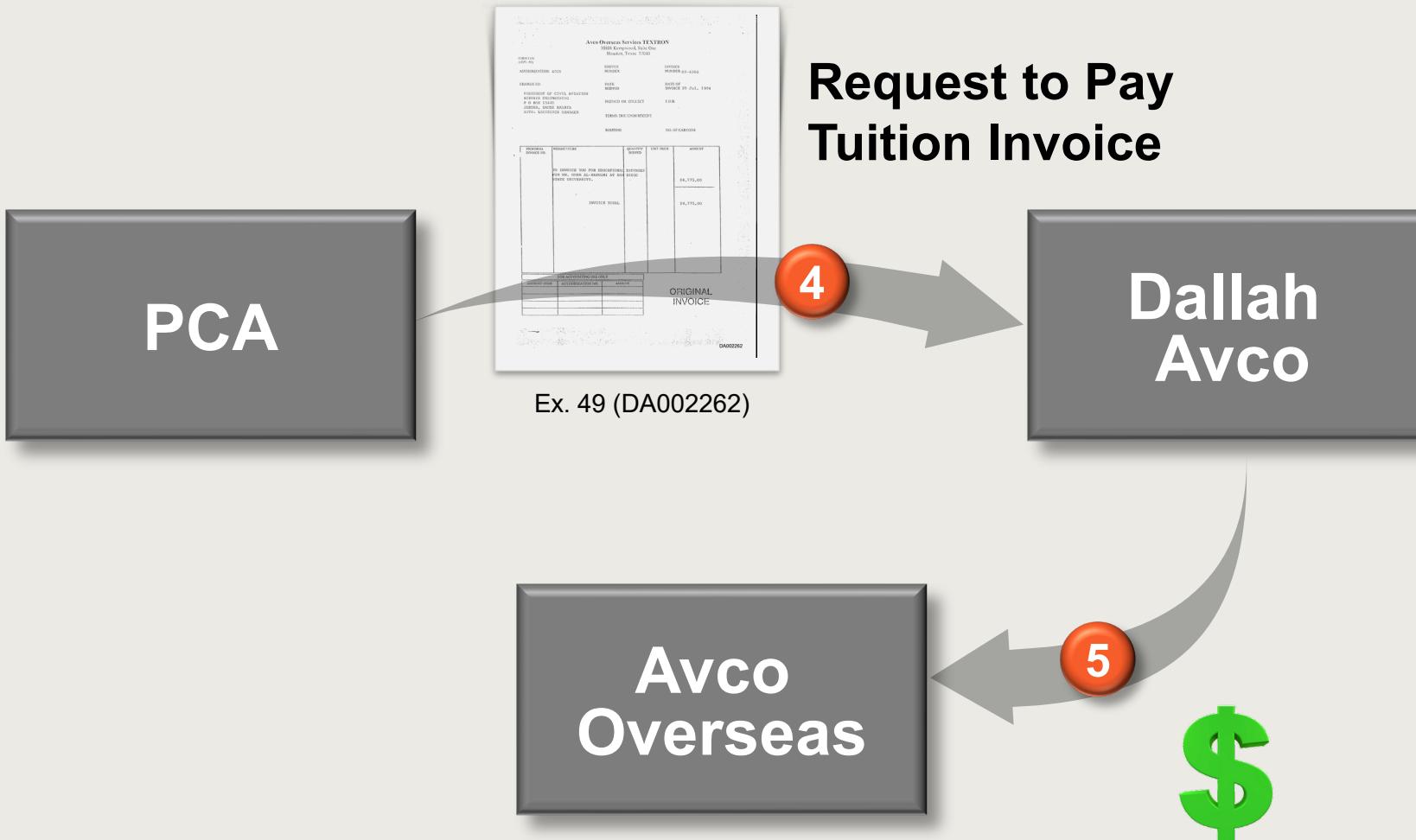
Ex. 91

22

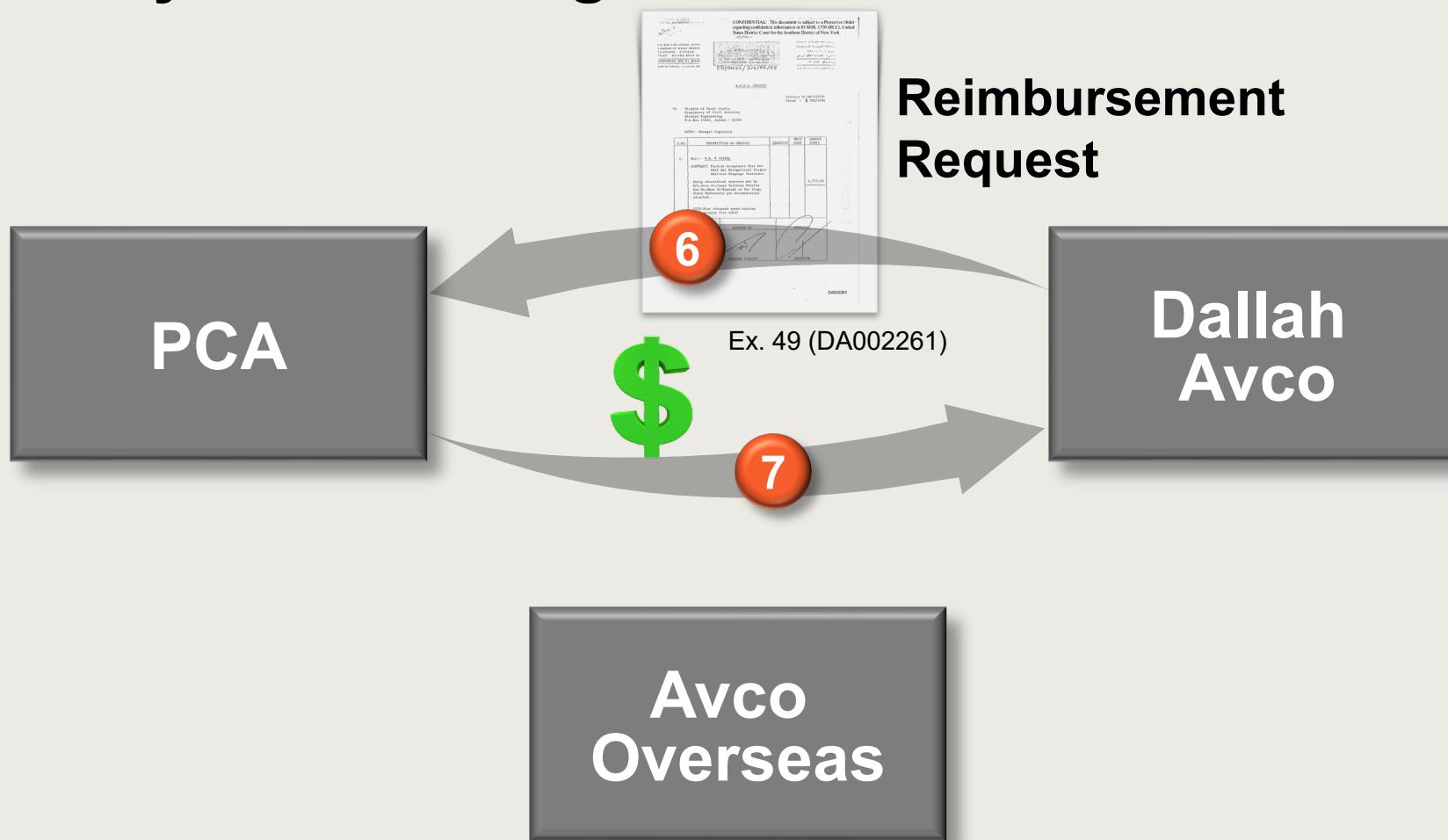
# Logistics Payments through Avco Overseas



# Logistics Payments through Avco Overseas

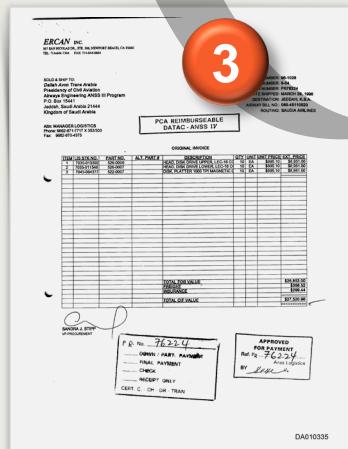


# Logistics Payments through Avco Overseas

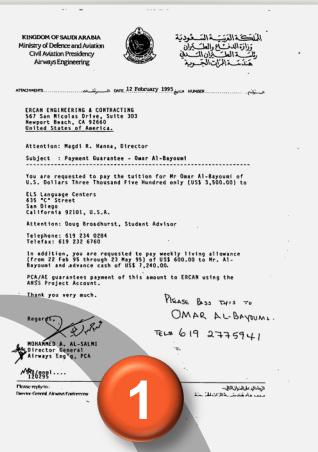


# Logistics Payments through Ercan

Marked up  
Invoice



Ex. 56 (DA010335)



Financial  
Directive

Ex. 90 at 2

Ercan

Dallah  
Avco

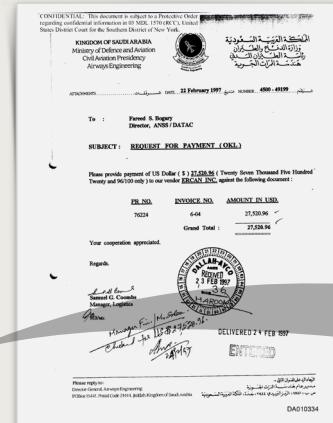


ELS Language Centers



# Logistics Payments through Ercan

PCA



Ex. 56 (DA010334)

Request to Pay  
Marked up Invoice

4

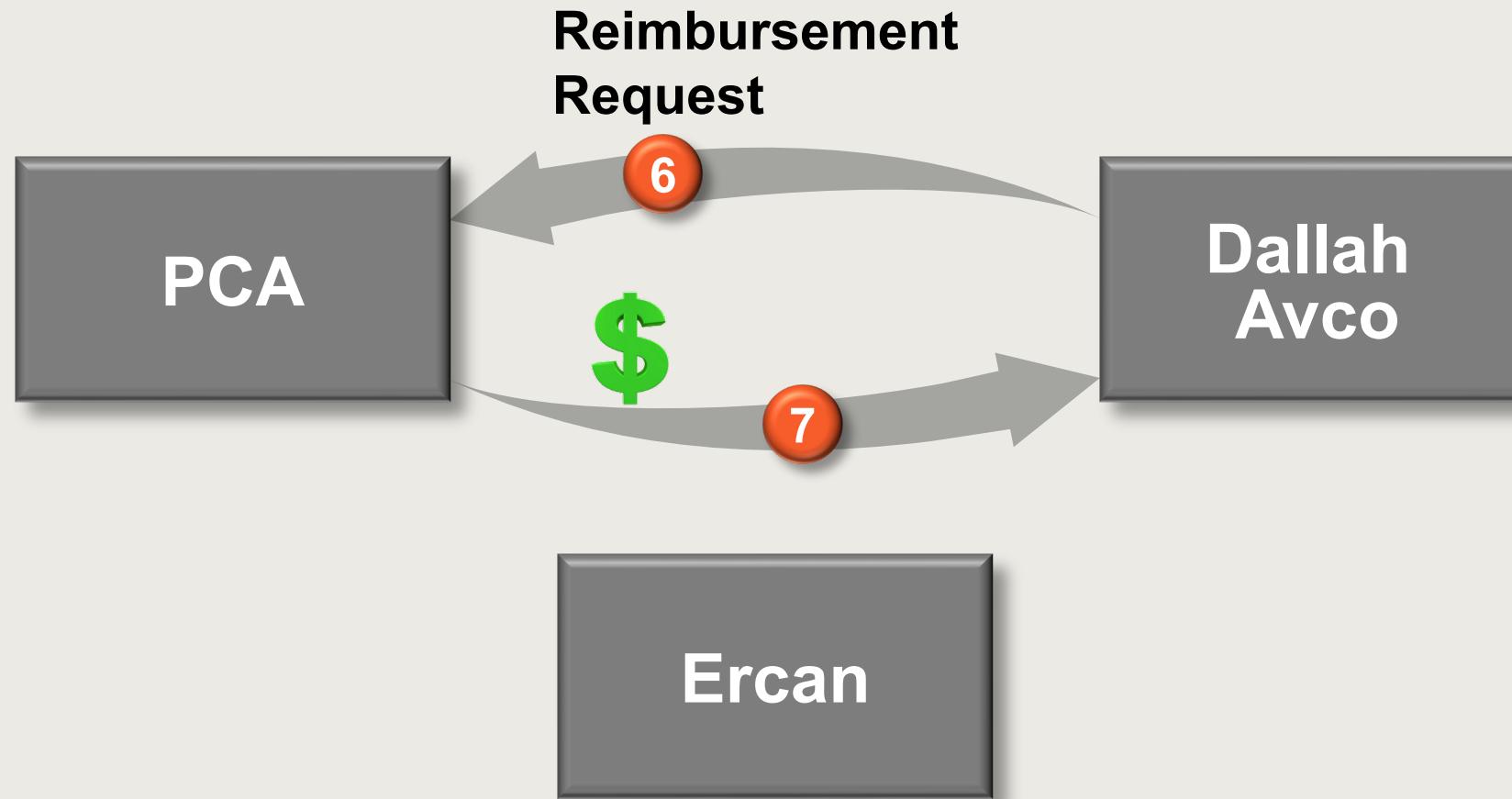
Dallah  
Avco

Ercan

5



# Logistics Payments through Ercan



# Al Bayoumi's ANSS Employee Payroll

(June 1995 – Mar 2000)

June 1995

**Level G: Senior Data Processing Technician**

This image shows a scanned document titled 'Request for Modification and/or Authorization of Contract/Agreement' from the 'Ministry of Defense and Aviation' in Saudi Arabia. The document is in both English and Arabic. It details a modification to a contract for 'ANSS Data Processing System Support (part 1)' between 'DALEAH AYUD TRANS ARABIA CO.' and 'SANTO S. MAROUK'. The form includes checkboxes for various actions like 'Change', 'Addition', 'Termination', 'Over', and 'As Required'. It lists 'From' and 'To' parties, task details, and a signature at the bottom. The document is dated '06 JUNE 1995'.

Ex. 27 (DA001016)

Sept 1998

**Level G: PCA/AE Budget Coordinator**

This image shows a scanned 'NOTICE OF EMPLOYMENT' form from September 1998. The form is in English and Arabic, with fields for employee information, job details, and personal data. It includes checkboxes for 'GIVEN NAME', 'MIDDLE NAME', 'FAMILY NAME', 'ASSIGNED SITE', 'DIRECTORATE', 'JOB TITLE', and 'CODE DEFINITION'. The 'EDUCATION' section lists 'DALEAH AYUD TRANS ARABIA CO.' as the employer. The 'APPROVAL' section shows signatures for 'DALEAH AYUD TRANS ARABIA CO.' and 'SANTO S. MAROUK'. The document is dated '18/09/98'.

Ex. 19 (DA000098)

1995

1996

1997

1998

1999

2000

2001

2002

# Al Bayoumi's ANSS Employee Payroll

(April 2000 – May 2002)

# April 2000

## Level C: Senior DSS Programmer

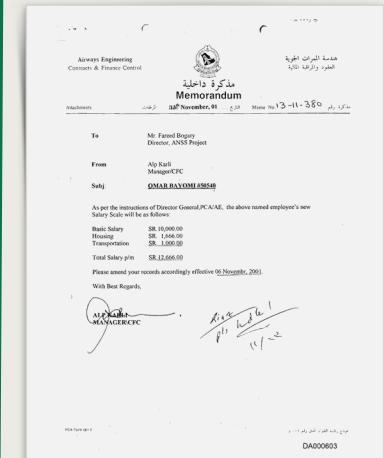
Ex. 14 (DA000082)

# Sept 2001

## Level B: Senior Contracts Specialist

Ex. 24 (DA000602)

# Nov 2001 PCA pay cut



Ex. 25 (DA000603)



# Al Bayoumi's Salary and Benefits

**Pay Advice Report (Run : 05-NOV-1999)**

Personal		Tax	
Monthly Salary	7740	Tax Period	7
Number	050040	Tax Ref. No.	DALLAH
Name		AL BAYOUMI, Mr. OMER AHMED	
Payments		Deductions	
Basic Salary	7740.00		
Housing Allowance	1290.00		
Other Allowance	1742.00		
Transportation	774.00		
Total	11546.00	Total	
Payment Methods		Amount Paid	
Method	Bank	Account No.	Amount
			11546.00
Messages		Balances	
Message	Gross YTD: 11546.00 Gross PTD: 11546.00 Taxable YTD: 11546.00 Taxable PTD: 11546.00 PAYE YTD: 0.00 Nettable YTD: 0.00		

# Al Bayoumi's “Other Allowances”

**Pay Advice Report (Run : 05-JUL-2000)**

Personal		Tax	
Monthly Salary	9500	Job Title	0032101
Number	050040	Name	AL BAYOUMI, Mr. OMER AHMED
Payments		Deductions	
Basic Salary	9500.00		
Housing Allow	1583.00		
Other Allowance	14271.00		
Transportation	950.00		
<b>Other Allowance</b>		<b>14271.00</b>	
Total	26304.00	Total	
Payment Methods		Amount Paid	
Method	Bank	Account No.	Amount
			26304.00
Messages		Balances	
Message		Gross YTD	26304.00
		Gross PTD	26304.00
		Taxable YTD	26304.00
		Taxable PTD	26304.00
		PAYE YTD	0.00
		Netable YTD	0.00





## What Did Sam Coombs Say?

ANSS Logistics Manager



**Sam Coombs**  
ANSS Logistics Manager

**Q. So is it correct that you had no substantial contacts with Dallah Avco, other than your paycheck, while you were working as logistics manager at Airways Engineering?**

**A. True.**

**Q. Did anyone from Dallah Avco direct or supervise your day-to-day work at Airways Engineering?**

**A. No way. No.**

\* \* \*

**Q. And did Al-Salmi direct and supervise your day-to-day work at Airways Engineering?**

**A. He directed me -- basically he would call me in and talk to me about what he wanted done, and then he'd just turn me loose. I was kind of independent.**

**But, yes, if something was outside of the norm, I did go clear it with him.**

22 June 2021 Dep. Tr. (82:17-83:1; 84:6-15)



**Sam Coombs**  
ANSS Logistics Manager

**Q. How many students were a part of this arrangement where the logistics department budget would be used to pay their -- pay for their studies?**

**A. It fluctuated between 45 and 50, and some of them are like interns. They would come on board temporarily in Saudi, and then they'd apply for it.**

\* \* \*

**Q. This was a common practice not only at PCA but at other Saudi businesses, correct?**

**A. That's correct.**

22 June 2021 Dep. Tr. (48:6-13; 50:20-23)



**Sam Coombs**  
ANSS Logistics Manager

Q. When you say "everybody said he was in school," who are you referring to as "everybody"?

A. The people talking around the -- inside the -- you know, like when they said, yeah, he's in the States. You know, I'd ask a question, and they'd say, yeah, he's in the States going to school.

Q. Approximately how many people made comments like that to you?

A. Four or five. You know, Alp Karli and Hamad Rashid -- Hamad Al-Rashid. There's several of them that would say things like that to me. So I just quit asking.

22 June 2021 Dep. Tr. (128:15-129:3)



**Sam Coombs**  
ANSS Logistics Manager

**Q. Mr. Coombs, throughout your time at Airways Engineering, did you understand that Omar Al-Bayoumi was pursuing educational studies in the United States?**

**A. Yes.**

**Q. Did you ever tell Dallah Avco that Al-Bayoumi was doing something other than pursuing educational studies in the United States?**

**A. No.**

22 June 2021 Dep. Tr. (150:16-25)



**Sam Coombs**  
ANSS Logistics Manager

**Q.** So is it fair to say that the reason you considered the expenses unusual was just that they were -- gave Al-Bayoumi a higher standard of living than the other Saudi students that were being funded through logistics?

**A.** Yes.

\* \* \*

**Q.** At any time did you ever learn that Al-Bayoumi was using his educational funding to plan terrorist attacks or engage in other criminal activity in the United States?

**A.** No. No.

**Q.** At any time did you even suspect that Al-Bayoumi was using his educational funding to plan terrorist attacks or engage in other criminal activity in the United States?

**A.** No.

22 June 2021 Dep. Tr. (130:15-21; 132:11-22)

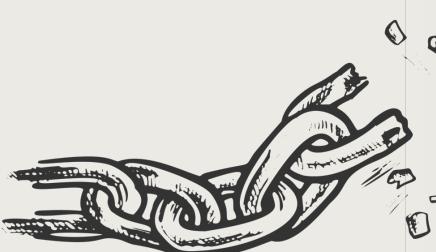


## No Proximate Cause

# Dallah Avco's Attenuated Relationship to Al Bayoumi



Processed  
salaries and  
benefits for 1400  
ANSS employees



Alp Karli approves  
course of studies

Al Salmi arranges vendor  
payments for tuition

Al Salmi corresponds  
with school

PCA arranges and  
approves secondment

Al Salmi arranges  
ANSS salary

Al Salmi arranges  
other allowances



Omar Al Bayoumi

# Al Bayoumi's Attenuated Relationship to the 9/11 Attacks

**Feb. 1, 2000**

Al Bayoumi meets Hazmi & Mihdhar at restaurant

**Feb. 4, 2000**

Al Bayoumi helps Hazmi & Mihdhar with lease & security deposit

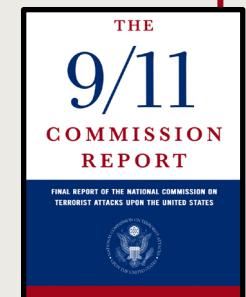
**Feb. 17, 2000**

Social event at Hazmi & Mihdhar's apartment



**May 31, 2000**

Hazmi & Mihdhar move out



**Sept. 11, 2001**  
Terrorist Attacks

**2000**

JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUN JUL AUG SEP

**2001**

# Al Bayoumi's Single Phone Call to Dallah Avco



Omar Al Bayoumi

January 10, 1999  
5:06 AM



